

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:18CR308
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	
)	
MARWAN J. LITTLE)	<u>UNITED STATES' SENTENCING</u>
)	<u>MEMORANDUM</u>
Defendant.)	

Now comes the United States of America, by its counsel, Justin Herdman, United States Attorney, and Payum Doroodian, Assistant United States Attorney, and respectfully submits this memorandum for the sentencing of Defendant Marwan J. Little. The United States agrees with the calculation within the Presentence Investigation Report ("PSR"), placing Defendant's Criminal History Category as III and Offense Level as 17 after acceptance of responsibility. Thus, Defendant's advisory Sentencing Guidelines range is 30 to 37 months, Zone D. (Doc. No. 12 at ¶ 79). For the reasons set forth below, this Court should impose a sentence within the advisory Guidelines range.

Considering the 18 U.S.C. § 3553(a) factors, including the circumstances of the offense and the characteristics of the Defendant, a within-Guidelines range sentence is sufficient, but not greater than necessary, to reflect the seriousness of the offense, promote respect for the law, afford adequate deterrence and protect the public from future crimes of the Defendant.

Defendant's current case arose from credible evidence that Defendant regularly sold crack cocaine out of his home in Elyria, Ohio. Pursuant to warrant, Elyria Police searched the

home and discovered baggies of cocaine (1.28 grams), marijuana (.96 grams), a digital scale, and Defendant lying in bed next to an Amadeo Rossi .38 special caliber revolver loaded with five rounds of ammunition. Incidentally, this conduct is in-line with Defendant's extensive criminal history, which includes convictions for: Carrying a Concealed Weapon, Cocaine Possession, Possession of Drug Paraphernalia, Criminal Trespass, Receiving Stolen Property, Felonious Assault, Tampering with Evidence, multiple Gun Specifications, Forgery, Theft, Preparation of Drugs for Sale, Fleeing, and Trafficking Cocaine. (Doc. No. 12 at ¶ 27-42). As an adult, Defendant received jail sentences on thirteen separate occasions, totaling nearly 132 months.

Despite all efforts to correct Defendant's behavior through numerous sentences and community control, the last one for Trafficking Cocaine terminated in 2010, Defendant has once again returned to dealing drugs and possessing weapons. Defendant's requested sentence, which includes a substantial variance down six levels to a split-sentence under Zone C, would do little to deter Defendant from returning to criminal behavior, as he has done numerous times before, or protect the public from another armed drug dealer on their streets. The present case is Defendant's sixth criminal case that includes one or more convictions for weapons or drug-related offenses, and Defendant has received sentences ranging from one year to six years incarceration in those cases. Accordingly, a within-Guidelines range sentence is necessary to reflect the seriousness of this offense, protect the public, and to punish the Defendant who has shown little respect for the law and is at a high risk of re-offending despite previous lengthy sentences.

III. CONCLUSION

For the forgoing reasons, the United States respectfully requests that the Court impose a sentence within the advisory Guidelines range..

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of December 2018 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Payum Doroodian
Payum Doroodian
Assistant U.S. Attorney